

# OLYMPIC COAST NATIONAL MARINE SANCTUARY

## Meeting Minutes

Sanctuary Advisory Council Meeting  
November 3, 2006  
Olympic Park Institute  
111 Barnes Point Rd. (Lake Crescent)  
Port Angeles, Washington

Olympic Coast National Marine Sanctuary  
NOAA, National Marine Sanctuary Program  
115 E. Railroad Avenue, Suite 301  
Port Angeles, WA 98362-2925  
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Reviewed by SAC Secretary

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Reviewed by OCNMS Superintendent

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Approved by SAC

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Olympic Coast National Marine Sanctuary  
November 3, 2006

**Members Present:**

Terrie Klinger, Research (Chair)  
Tim Snowden, Hoh Tribe Alternate  
Jim Woods, Makah Tribe  
Jay Burns, Quileute Tribe  
Fan Tsao, Conservative Alternate  
Martha Hurd, Washington DNR (Secy.)  
Rebecca Post, Dept. of Ecology Alternate  
Bob Bohlman, Marine Industry  
Frank Holmes, Marine Industry Alternate  
Teresa Scott, Wash. Dept. of Fish & Wildlife  
Steve Fradkin, Olympic National Park, Alt.  
Gene Woodwick, Education  
Diane Schostak, Tourism  
Michael Lenox, Tourism Alternate  
Mike Doherty, Clallam Co. Commissioner  
Alan Brooks, Citizen-at-Large Alternate

**Staff**

Carol Bernthal, Superintendent  
Andy Palmer, Coordinator  
George Galasso, Asst. Mgr.  
Robert Steelquist, Education/  
Outreach Coordinator  
Cheryl Sinclair, Recording Secretary

**Guests/Public Attendees:**

Jim Davis, Olympic Coast Alliance  
Polly Dyer, Olympic Coast Alliance  
Jennifer Hagen, NW Indian Fisheries  
Nhi Hoang, Dept. of Ecology  
Chad Bowechop, Makah Tribe  
Felipa Miramontes, Makah Tribe  
Chris Jones, Makah Tribe  
David Hudson, Hoh Tribe  
Amy Trainer, Friends of San Juans  
Ed Bowen, Citizen  
Tom Sanford, Olympic Park Institute

**Welcome**

Terrie Klinger called the meeting to order at 10:00 a.m. and introduced Tom Sanford, Director of Olympic Park Institute. Mr. Sanford gave an overview of Olympic Park Institute which is a non-profit organization, focusing on inquiry-based science education, primarily secondary students from around Puget Sound who come for 3-5 day programs throughout the school year. In addition their site is used for adult programs and as a conference facility.

**Agenda/Meeting Minutes**

Andy had one change to the agenda, adding a public comment period in the afternoon. Rebecca Post **moved** to adopt minutes of the September 22, 2006 meeting; **seconded** by Bob Bohlman; and **approved** as presented. Minutes of the July 20, 2006 teleconference were distributed. After being given an opportunity to review the minutes, Jay Burns **moved** they be adopted; motion seconded and **approved** as presented.

**Annual Operating Plan**

Andy Palmer presented a draft SAC Annual Operating Plan for 2007, explaining that the section numbers correspond to the same sections on the OCNMS AOP. Andy reviewed the various sections and there was discussion about future SAC meeting dates, with tentative dates of January 19, 2007, March 16, 2007, May 18, 2007, September 21, 2007 and November 16, 2007.

Teresa Scott requested a copy of the Sanctuary AOP and budget so that key issues can be discussed, with Jim Woods expressing the same interest. Carol Bernthal responded that the Sanctuary AOP is not finalized because budget has not yet been approved by Congress. When it is finalized, she can give a presentation but the detailed budget and AOP are not provided to the SAC because they are internal operating documents. A final SAC AOP will be adopted at the January meeting.

### **Oil Spill Contingency Rules**

Nhi Hoang of Department of Ecology reported on the new rules now in effect and discussed high risk areas and equipment caching in order to have better response time. There will be regular testing of equipment and drills, including drills for worst case scenario. DOE is actively looking at studies to have Neah Bay as a staging area for response. Rebecca Post discussed the testing requirements which will be geographically based; talked about equipment which will be placed with the Tribes under state grants and the training that will be a part of that, which will be separate and apart from the requirements for industry. In response to a question from Gene Woodwick, Rebecca responded that National Response Corporation currently has equipment stationed in Hoquiam. There was a discussion regarding geographical response plan on the outer coast, with Chad Bowechop discussing the role of the Tribe in relation to state jurisdiction and federal jurisdiction on the outer coast. Because of that unique situation, the Tribe has some ability to help strengthen the safety regime which also benefits the Sanctuary.

### **Olympic Coast Alliance (Power Point Presentation)**

Jim Davis gave a brief overview of OCA. While OCA is focusing on a number of environmental issues that are also of interest to OCNMS, at present one of their highest priorities is oil spill prevention. This past year OCA carefully monitored the proposal to lift the ban on offshore oil and gas drilling and exploration, as well as monitored potential revocation of the Magnuson Amendment that limited tanker trips inside Puget Sound. Jim was appointed to the state Oil Spill Advisory Council which was initiated in 2005 by Governor Gregoire. Some of the tasks of the OSAC are to: approve prevention, preparedness and response; provide input to state and federal policy makers; and, provide independent advice and expertise. Primary focus this past year has been on oil spill prevention, response and funding, recommending three sources for raising revenue in Washington State: 1) new fuel transfer fee; 2) eliminate barrel tax export credit; 3) eliminate cap on barrel tax. In addition to the derelict vessel issue, they feel a high priority is an enhanced multipurpose tug boat at Neah Bay, with funding from potential federal sources; state sources; and/or industry which is actually transporting the product.

### **Resolution for Permanent, Multipurpose Rescue and Response Tug at Neah Bay**

Mike Doherty referred the SAC to the draft resolution which had been circulated prior to the meeting, and indicated the Makah Tribe would like several amendments to the proposed language.

Mike Doherty **moved** the SAC adopt the resolution for a year-round tug at Neah Bay; **seconded** by Teresa Scott who clarified the resolution should read “Council” instead of “Committee.”

Andy Palmer and Mike Doherty indicated that a proposal for a year-around tug is currently one of the draft recommendations of the Governor’s Ocean Policy Work Group. Points of discussion and concern expressed were: to whom the Sanctuary would send copies of the resolution; concerns about the increasing number and size of vessels entering the Straits and Passing Neah Bay; concerns about current response times from Astoria and Port Angeles; question as to whether the language in the resolution could preclude private funding or partnership with private funding. It was decided to word the resolution to direct that the resolution be sent to the governor and the Admiral Lautenbacher, the Undersecretary of the Department of Commerce for Oceans and Atmosphere (NOAA).

Bob Bohlman read comments into the record which included the following points, among others: Industry does not oppose tug assistance available in remote areas, however, there are currently over 100 tugs operating in NW Washington and British Columbia waters and enrolled in ITOS; most of those tugs and most major commercial vessels are required to carry AIS transponders which allow expedited response; there is no record of oil spills from drift groundings of deep draft vessels and industry supported moving entrance to the traffic lanes farther offshore as an extra margin of safety; need appropriate risk assessment to compare cost versus benefit and discussion of funding for the proposed tug; concern that wording of the resolution can give a false impression of risk.

Chad Bowechop gave some history of the Tribe’s position on the proposed tug and read proposed amendments to the draft resolution. Mike Doherty indicated **no objection to the proposed amendment**; **seconded** by Teresa Scott.

Terrie read aloud the amendments to the draft resolution.

Vote was taken by show of hands: yes -10; no - 0; abstain - 2. Bob Bohlman requested that the record show his abstention.

### **Public Comment**

Jennifer Hagen pointed out that the Governor’s Ocean Policy Work Group documents are available for review, and there will not be a SAC meeting prior to the comment period closing the end of November. Terrie indicated individuals can comment, and expressed hope that a presentation can be made by a member of the work group at the January SAC meeting.

### ***SS Catala (Power Point Presentation)***

Rebecca Post reported on DOE's progress (in cooperation with DNR, State Parks and Recreation, Department of Fish & Wildlife and U.S. Fish & Wildlife Service) in pumping oil tanks on the *SS Catala*, which had at one time been used as a hotel and washed ashore near Ocean Shores in 1965. In about 1980 the upper decks were removed and she was buried near Damon Point which was an accreting sand bar. Now the sand is washing away and the *Catala* has become exposed. In April 2006 it was discovered there was oil onboard. So far 31,000 gallons of oil have been removed but it is still unknown how much remains. For the most part, the cost overruns and delays have been because of having to insert sheet pile around all four sides of the ship to keep water levels down and have a solid barrier to help contain any escaping oil. For work done so far, DOE has paid costs from the Oil Spill Response account. After removal of all oil, it will be DNR's decision on how and whether to remove the remains of the vessel.

### **DNR Aquatic Lands Habitat Conservation Plans**

Martha Hurd commented on status of development of a habitat conservation plan for DNR aquatic lands programs. Scoping meetings are being held through U.S. Fish & Wildlife Service and National Marine Fisheries Service. DNR has been working on an inventory of all the activities that are happening and the endangered species that might be affected by activities on state aquatic lands. November 7 will be a meeting in Longview at Cowlitz County Public Utility District, and November 8 at NMFS in Seattle. These begin a 45-day scoping period with the federal agencies that will be working with DNR. DNR will also meet with OCNMS to give details of where the process is headed. Tim Snowden pointed out there are no scoping meetings planned for the peninsula, and Martha directed him to contact either U.S. Fish & Wildlife Service or NMFS to request a local scoping meeting.

### **Superintendent's Report**

Carol Bernthal reviewed Steve Joner's efforts to establish communication between the Pacific Fisheries Management Council, the Advisory Councils and Sanctuaries along the west coast. At Steve's request, time has been set aside for roundtable discussions for the west coast sanctuaries and SACs at the PFMC meeting November 13, 2006 in San Diego. Carol circulated the proposed agenda for the November 13 meeting and discussed each section and opportunities for cooperation between PFMC and the sanctuaries. Carol asked that one SAC member be delegated to attend the November PFMC meeting. Jim Woods **moved** that Terrie Klinger attend the PFMC meeting; **seconded** and passed with no votes against and no abstentions. Carol expressed her thanks to Steve Joner for all the work and follow-up he has put into opening communication between PFMC and the west coast sanctuaries, and asked that Jim Woods communicate the SAC's appreciation to Steve.

Carol reported on follow-up work on the cable remediation. The Sanctuary is awaiting the final report from TYCO, which will define in great detail the burial level throughout the Sanctuary. The Sanctuary will determine if the depths meet the level of the settlement agreement and, if acceptable, will sign off on a completion of work letter. That must occur within 45 days of

receipt of the report, which is due early December. Carol hopes to report at the January meeting as to final status of the burial and acceptance of the work.

Sanctuary staff has been working on a work plan for data analysis of the 19.5 miles of videotape from the coral cruise and hopes to have an initial cruise report in a very brief form by January or February which can be shared with the SAC.

George Galasso has been working with the Governor's Ocean Policy Work Group in developing their recommendations. The Sanctuary is very interested in some key areas: habitat mapping; alignment on oceanographic monitoring the Sanctuary is doing; developing an ocean literacy campaign for the outer. There are several areas of potential collaboration between OCNMS and the state.

### **Public Comment**

Ed Bowen of the Lake Ozette area expressed his opposition to intertidal zoning on the coast. His principal reason for coming to the meeting was to request that OCNMS get involved in research on the Lake Ozette sockeye salmon stocks, specifically on nearshore assessment portion where there is no data. There was discussion concerning work which has been done by the Makah, by Olympic National Park and OCNMS. Jim Woods indicated the Makah have biologists and technicians who have been working in these areas, fish counts, tissue sampling and Mr. Bowen is welcome to contact Jim with any questions. Carol indicated that OCNMS has not focused on doing those types of assessments because the Sanctuary does not have fisheries or ecologists on staff but she is willing to look into the issue and see if there is an appropriate role for the OCNMS.

### **OCNMS/Seattle Aquarium Ocean Literacy Project**

Bob Steelquist, Education/Outreach Coordinator for OCNMS reported on an upcoming ocean literacy project in conjunction with the Seattle Aquarium with funds received from a NOAA grant which came about as a result of recommendations in the Ocean Commission Report. The Seattle Aquarium already has experience with ocean literacy program based on five years of experience with the Puget Sound Education Initiative and propose to extend their education and outreach efforts to not only the Seattle and Highline School districts but also Olympic Peninsula communities. The program will focus on 4<sup>th</sup> and 5<sup>th</sup> grades and will have teacher workshops and hopefully workshops for families; the idea being that on 4<sup>th</sup> or 5<sup>th</sup> grade field trips there will be adult family members who could also participate in the education process. They hope to focus on sanctuary-based NOAA research and sanctuary-based research so that more of what the sanctuary is doing finds its way into discussion in the context of the Seattle Aquarium and their programs. The Aquarium will be installing a new exhibit on the front of their building which will be patterned on the habitat near Tatoosh Island which becomes a tremendous opportunity for the sanctuary to get information into the public venue at the Seattle Aquarium.

There was discussion about how this program would factor into school curriculum; performance evaluation; discussion of what school districts might be involved; the needs of the school districts; stipends available to teachers, given the geographical locations; discussion about status of Arthur DeFeiro Marine Laboratory.

### **Aqua Energy Preliminary Draft Environmental Assessment**

Carol Bernthal described the licensing process through the Federal Energy Regulatory Commission (FERC). Aqua Energy has submitted a preliminary DEA to FERC which analyzes the potential environmental effect and mitigation measures. There will be a 90-day comment period after FERC publishes in the Federal Register, which should happen in the next couple of weeks. OCNMS will comment during the public comment period. OCNMS will also require the company to get a sanctuary permit as well. A working group was established to look at the preliminary DEA and have proposed recommendations to SAC members prior to the January meeting for consideration at the January meeting. Working group members are: **John Calambokidis, Jennifer Hagen, Jim Woods (as available), Rebecca Post, and Alan Brooks.** Liam Antrim will lend staff assistance to the working group. Jennifer Hagen suggested that the SAC keep informed on other alternative energy source proposals as well.

### **Annual Chairs/Coordinators Meeting**

Terrie Klinger reported the annual chairs/coordinators meeting is being planned for May in Newport News, Virginia at the monitor sanctuary and asked for input on a topic for a case study to be submitted by OCNMS for a regional case study. The regional coordinator then would choose one of the submittals to present as the west coast case study. Andy Palmer mentioned that he has explored the option of the west sanctuaries selecting a cross-cutting issue, such as offshore oil or the relationship with the PFMC as an example rather than just one sanctuary case study. Rebecca Post thought that was a good idea and that we should focus on the initiatives with the PFMC. Jim Woods commented on the uniqueness of OCNMS and its relationship with the Tribes and the Tribes' status as co-managers of the resources as a topic for a case study. Andy indicated that there have been discussions a particular focus in the form of a panel discussion on the relationships with indigenous communities and sanctuaries and that could occur when OCNMS hosts the meeting. Terrie commented that topic could be a second suggestion framed in the context of fisheries and Tribal cooperation. Teresa asked if there are any other sanctuaries that have had wave energy proposals and Carol indicated that there weren't.

### **Meeting Comments/Future Agenda/Adjourn**

The next meeting is tentatively scheduled for January 19, 2007. Location will be established.

Agenda topics for January meeting:

- Sanctuary AOP and budget priority issues - Carl Bernthal
- Park Service visitors' counts for last year - Steve Fradkin
- Make recommendations to Dept. of Ecology re GRP



Urge Dept. of Fish & Wildlife to have a meeting on Habitat Conservation Plan  
Working Group report re Aqua Energy  
Governor's Ocean Policy Work Group report  
Big Eddy  
Member report

The meeting adjourned at 3:15.